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10/695,259	10/27/2003	Wai-Tian Tan	200309936-1	4700

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EXAMINER

NGUYEN BA, HOANG VU A

ART UNIT	PAPER NUMBER
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2623

NOTIFICATION DATE	DELIVERY MODE
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04/07/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/695,259	Applicant(s) TAN, WAI-TIAN	
	Examiner Hoang-Vu A. Nguyen-Ba	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the amendment-after-non-final rejection filed December 10, 2007.
2. Claims 1-33 remain pending. Claims 1, 12 and 23 are independent claims.

Response to Amendments

3. The objection to the drawings is withdrawn in view of Applicant's amendments to the drawings.
4. The objection to the specification is withdrawn in view of Applicant's amendment to the specification to correct the use of trademarks in the specification.

However, the objection to the title is maintained because is respectfully noted that "Methods and Systems for Dynamically Configuring a Network Component" can also referred to the methods and systems for dynamically configuring a cable modem which is also a network component but is not the subject matter of the invention claimed in the claims of the present application. Therefore, the title is considered to be not clearly indicative of the invention to which the claims are directed.

Response to Arguments

5. Applicant's arguments have been fully considered and are persuasive. New grounds of rejection notwithstanding the use of the same art of record are herein introduced to address Applicant's arguments.

Specification

6. The specification is objected to because of the following minor informalities: the title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objection

7. Claims 8, 19 and 30 are objected to because it is unclear if these claims are intended to recite that the content is redirected while en route from the first network connected component to the third network connected component or that the content is redirected while en route from the third component to the first component. For compact prosecution purposes, these claims are interpreted to mean that *said content is redirected, while en route from the first network connected component, to said third network connected component.*

Claim Rejections – 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejection under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-33 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,785,704 to McCanne.

Claim 1

McCanne discloses at least *a method for dynamically configuring a network component, comprising:*

*receiving a request for content from a **first network connected component** (see at least FIG. 6, request made by **client 12** and received by components of the Redirection Fabric which direct the request to the appropriate content server, e.g., server 14);*

determining a type of media service needed for at least a portion of said content (see at least FIG. 6, server S 14 determines the type of media service needed for distributing packets of streaming data supplied by server S14); and

*configuring a data relaying component (see at least FIG. 6, component 26 which can be a router) to forward said at least a portion of said content from **a second network connected component** (see at least FIG. 6, **server S 14**) to a **third network connected component** (see at least FIG. 6, **Distribution Network 52**) to receive said type of media service.* Emphasis added by examiner.

Claim 2

The rejection of base claim 1 is incorporated. McCanne further discloses *wherein said step of receiving said request for content is performed by a network connected server (see at least FIG. 6, component 14).*

Claim 3

The rejection of base claim 1 is incorporated. McCanne further discloses *wherein said request is for streaming media content* (see at least 4:16-26).

Claim 4

The rejection of base claim 1 is incorporated. McCanne further discloses *wherein said first network connected component is a client device* (see at least FIG. 6, Client 12).

Claim 5

The rejection of base claim 1 is incorporated. McCanne further discloses *wherein said second network connected component is a content server* (see at least FIG. 6, Server S 14).

Claim 6

The rejection of base claim 1 is incorporated. McCanne further discloses *wherein said third network connected component is a media service component which receives said content, performs a media service and transmits the content to a client device* (see at least FIG. 6, distribution network 52).

Claim 7

The rejection of base claim 1 is incorporated. McCanne further discloses *wherein said configuring is performed by a real time streaming protocol (RTSP) server* (see at least 20:1-13; 25:43-56; 28:9-51; 29:5-32).

Claim 8

The rejection of base claim 1 is incorporated. McCanne further discloses *wherein said content is redirected, while en route to said first network connected component, to said*

third network connected component (see at least FIG. 6, the routing by components 38, 50, 26).

Claim 9

The rejection of base claim 1 is incorporated. McCanne further discloses *wherein said request is redirected using Internet domain name service (DNS) based redirection techniques* (see at least Abstract).

Claim 10

The rejection of base claim 1 is incorporated. McCanne further discloses *wherein said content or request is redirected using a web cache communication protocol (WCCP) routing mechanism* (see at least 23:4-67).

Claim 11

The rejection of base claim 1 is incorporated. McCanne further discloses *wherein said server receives said request routed by said data relaying component, and supplies routing configuration instructions to said data relaying component to create or destroy a rule to route selected streams to a media service* (see at least 23:4-67).

Claim 12

Since Claim 12 is an independent claim that recites *a computer useable medium having computer useable code embodied therein causing a computer to perform* the same operations of method claim 1, the same rejection is thus applied.

Claim 13

The rejection of base claim 12 is incorporated. Since Claim 13 recites the same feature of Claim 2, the same rejection is thus applied.

Claim 14

The rejection of base claim 12 is incorporated. Since Claim 14 recites the same feature of Claim 3, the same rejection is thus applied.

Claim 15

The rejection of base claim 12 is incorporated. Since Claim 15 recites the same feature of Claim 4, the same rejection is thus applied.

Claim 16

The rejection of base claim 12 is incorporated. Since Claim 16 recites the same feature of Claim 5, the same rejection is thus applied.

Claim 17

The rejection of base claim 12 is incorporated. Since Claim 17 recites the same feature of Claim 6, the same rejection is thus applied.

Claim 18

The rejection of base claim 12 is incorporated. Since Claim 18 recites the same feature of Claim 7, the same rejection is thus applied.

Claim 19

The rejection of base claim 12 is incorporated. Since Claim 19 recites the same feature of Claim 8, the same rejection is thus applied.

Claim 20

The rejection of base claim 12 is incorporated. Since Claim 20 recites the same feature of Claim 9, the same rejection is thus applied.

Claim 21

The rejection of base claim 12 is incorporated. Since Claim 21 recites the same feature of Claim 10, the same rejection is thus applied.

Claim 22

The rejection of base claim 12 is incorporated. Since Claim 22 recites the same feature of Claim 11, the same rejection is thus applied.

Claim 23

Since Claim 23 is an independent claim that recites *a server* (see at least FIG. 6, components 14, 40, etc.) *comprising*:

memory for storing a request for content from a first network connected component; and

a processor coupled to said memory for performing the same operations recited in method claim 1, the same rejection is thus applied.

It should be noted that a server is a computer comprising memory, such as RAM, ROM, and different storage medium (e.g., hard-drive, etc.) and one or more microprocessors. These components are deemed inherent to McCanne because without these components, the server disclosed by McCanne would be inoperable.

Claim 24

The rejection of base claim 23 is incorporated. Since Claim 24 recites the same feature of Claim 2, the same rejection is thus applied.

Claim 25

The rejection of base claim 23 is incorporated. Since Claim 25 recites the same feature of Claim 3, the same rejection is thus applied.

Claim 26

The rejection of base claim 23 is incorporated. Since Claim 26 recites the same feature of Claim 4, the same rejection is thus applied.

Claim 27

The rejection of base claim 23 is incorporated. Since Claim 27 recites the same feature of Claim 5, the same rejection is thus applied.

Claim 28

The rejection of base claim 23 is incorporated. Since Claim 28 recites the same feature of Claim 6, the same rejection is thus applied.

Claim 29

The rejection of base claim 23 is incorporated. Since Claim 29 recites the same feature of Claim 7, the same rejection is thus applied.

Claim 30

The rejection of base claim 23 is incorporated. Since Claim 30 recites the same feature of Claim 8, the same rejection is thus applied.

Claim 31

The rejection of base claim 23 is incorporated. Since Claim 31 recites the same feature of Claim 9, the same rejection is thus applied.

Claim 32

The rejection of base claim 23 is incorporated. Since Claim 32 recites the same feature of Claim 10, the same rejection is thus applied.

Claim 33

The rejection of base claim 23 is incorporated. Since Claim 33 recites the same feature of Claim 11, the same rejection is thus applied.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoang-Vu “Antony” Nguyen-Ba whose telephone number is (571) 272-3701. The examiner can normally be reached on Tuesday-Friday from 7:00 am to 5:30 pm.

If attempts to reach the examiner are unsuccessful, the examiner’s supervisor, John Miller can be reached at (571) 272-7353.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2600 Group receptionist (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

/Hoang-Vu Antony Nguyen-Ba/

Primary Examiner, Art Unit 2623

March 29, 2008